

REMARKS

Claims 1-5 are pending in the application. Claims 1-5 are amended without prejudice or disclaimer to remove the multiple dependency claim and to conform with U.S. patent practice. No new matter is contained in these amendments.

Applicants submit the present amendments and remarks, and respectfully request consideration and allowance of the claims.

Rejection Under 35 U.S.C. § 112

The Examiner has rejected claims 1-4 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular the Examiner states that the phrase “characterized in that” and the phrase “and/or” render the claims indefinite because it is unclear whether the limitation(s) following the phrases are part of the claimed invention. The claims have been amended to address these concerns and the rejection should be removed.

The Examiner rejected claim 2 because it recites the limitation “the iodine number” in claim 1, and there is insufficient antecedent basis for this limitation in the claim. The iodine number as claimed refers to an inherent property of the recited unsaturated fats, oils or waxes of natural or synthetic origin, and therefore, antecedent basis is inherent in the claim. In view of this clarification, the rejection is considered moot and the rejection should be removed.

Regarding claim 4, the limitation of “... 1-10% of a substance...” is indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully request that the Examiner refer to the specification which has provided sufficient guidance to one of skill in the art as to the meaning of phrases lubricant (page 4 third full paragraph), retanning agent (page 5 last paragraph), and pH regulating substance

(page 5 first full paragraph). In view of this clarification, the rejection is considered moot and the rejection should be removed.

Rejection Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1 and 3-5 under 35 U.S.C. §102(b) as being anticipated by Hopkins et al. (US 4,560,386) and by Covington (US 4,937,009). Applicants respectfully request withdrawal of this rejection. Hopkins et al. does not use the claimed lubricant of the present invention, i.e., a lubricant in that unsaturated fats, oils or waxes of natural or synthetic origin are used in the production of said lubricant, which are subjected to an oxidative treatment prior to further chemical reaction. In example 1, Hopkins only discloses that 2 parts of a weakly anionic fat liquoring agent based on a fatty acid derivative is used. The entire document is silent how said fatty acid derivative is produced, i.e., it is not mentioned that said fatty acid derivative was subjected to an oxidative treatment prior to a further chemical reaction. Consequently, due to the presence of the specific lubricant in the composition the objected claims 1 and 3-5 should be novel with respect to Hopkins et al.

With respect to Covington, in the entire specification as well as in the examples, it is not disclosed that a specific lubricant should be used, i.e., a lubricant in that unsaturated fats, oils or waxes of natural or synthetic origin are used in the production of said lubricant, which are subjected to an oxidative treatment prior to further chemical reaction. Moreover, with respect to example 15 of the Covington patent, sodium bicarbonate was used for depickling the snake skin. Subsequently, with a fresh float, the snake skin was treated with the lubricant and the tanning agent. Consequently, said fresh float does not comprise a substance regulating the pH value.

Due to the presence of the specific lubricant used in the process of making the composition, claims 1-5 are novel with respect to the disclosure of Covington.

Rejection Under 35 U.S.C. § 103(a)

The Examiner has rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Hopkins, et al. and Covington. Applicants respectfully request withdrawal of this rejection. The distinguishing feature of the presently claimed liquid agent is its manufacture with the use of a specific lubricant, whereby unsaturated fats, oils or waxes of natural or synthetic origin are used in the production of said lubricant, which are subjected to an oxidative treatment prior to further chemical reaction. As already mentioned, neither Hopkins et al. nor Covington disclose the use of said specific lubricant. As a consequence, a person skilled in the art would not be motivated by the teaching of said documents to use the specific lubricant of the present invention to solve the technical problem underlying the present invention. As a consequence, the presently amended set of claims involve an inventive step. Since claim 2 is based on claim 1, objected claim 2 involves an inventive step.

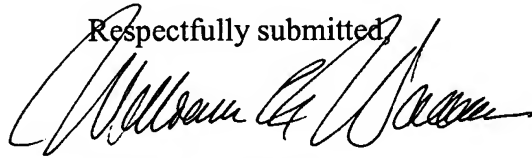
Moreover, the examples of the present application demonstrate that the composition of the present invention is an unobvious improvement over the compositions known in the prior art, providing finished leathers with notable softness, grain crack resistance and even dyeing. Given the historically long-felt need to improve leather tanning products and the processes by which they are made, and the lack of any suggestion for products made with the materials as presently claimed, the invention can not be fairly said to be obvious. Therefore, Applicants respectfully

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assert that the technical effects of the present invention were not obvious to a person skilled in the art when reading the disclosure of Hopkins et al. or Covington. Consequently, the present invention involves an inventive step with respect to the prior art cited by the Examiner, and the rejection should be withdrawn.

The Examiner is encouraged to call the undersigned attorney at 404-853-8081 if doing so will facilitate prosecution of the application. The additional fee of \$110.00 is included for a one month Petition for an Extension of Time and are thought sufficient for this matter. However, the Commissioner is hereby authorized to charge any additional fees due or credit any overpayment to Deposit Account 19-5029.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William L. Warren', written in a cursive style.

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